

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LEONARD JOHN SUNDSMO,

Plaintiff,

v.

DEREK BURCH, MIKE PICHLER,
MARK R. SCHAUF, and RYAN LABROSCIAN,

Defendants.

ORDER

15-cv-2-slc

Plaintiff Leonard John Sundsmo brings this action against municipal and state law enforcement officials for an allegedly illegal search and arrest of plaintiff in 2014. The court has received defendant Derek Burch's motion for summary judgment, dkt. 140, but at the time defendant filed his summary judgment motion, he did not submit proposed findings of fact as explained in the pretrial conference order, dkt. 130. Because of this, the court did not immediately set briefing on Burch's summary judgment motion. In the meantime, plaintiff filed a brief in opposition to Burch's motion, dkt. 151, and Burch filed a reply brief in support of his motion for summary judgment, dkt. 152. After receiving Burch's reply, the clerk's office contacted Burch's counsel, to follow up on whether Burch intended on filing proposed findings of fact. Counsel confirmed that the proposed findings of fact were inadvertently not filed at the time Burch filed his motion for summary judgment. Counsel subsequently submitted Burch's proposed findings of fact, dkt. 153.

Now that Burch's summary judgment materials are complete, I will set a new briefing schedule. The other defendants filed their own motion for summary judgment on September 30, 2016, and briefing has already been set on that motion. The new briefing schedule on Burch's motion will track the schedule on the parallel motion.

I warn plaintiff that his summary judgment responses should substantively address the issues in this case having to do with the search and arrest. Plaintiff's brief opposing Burch's (admittedly incomplete) motion for summary judgment does not address the substance of his claims. Rather, plaintiff contends that all of Burch's submissions should be disregarded as failing to comply with the Foreign Agents Registration Act. This is nothing more than a rehash of plaintiff's previous attempts to raise long-discredited "sovereign citizen" legal theories about how to properly file legal documents in federal court. These arguments have no traction in this court and they are not going to get plaintiff anywhere. Whether he likes it or not, plaintiff needs to adjust his mind set and his submissions in this lawsuit.

ORDER

It is ORDERED that:

- (1) Plaintiff Leonard John Sundsmo may have until October 31, 2016, to submit his brief opposing defendant Derek Burch's motion for summary judgment, along with plaintiff's responses to Burch's proposed finding of fact, plaintiff's own proposed findings, and evidentiary materials supporting those findings.
- (2) Defendant Burch may have until November 10, 2016, to file his reply materials.

Entered this 6th day of October, 2016.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge